

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOHNSON HEALTH TECH
NORTH AMERICA, INC.

Plaintiff,

ORDER

v.

17-cv-834-wmc

GROW FITNESS GROUP, INC.
a/k/a GROW FITNESS, INC.
and MATTHEW SEABERG,

Defendants.

Today, the court held a telephonic hearing on two pending motions, at which plaintiff Johnson Health Tech North America appeared by counsel and defendant Matthew Seaberg appeared pro se. For the reasons provided during the hearing and below, defendant Seaberg's motion for leave to file an amended answer (dkt. #25) is GRANTED, although the amended answer attached to his motion is rejected. Instead, defendant Seaberg has until Friday, June 21, 2019, to file and serve an amended answer, containing good faith responses to each of the individually numbered paragraphs of plaintiff's complaint. Defendant Seaberg is also required to respond to all outstanding written discovery requests in good faith on or before June 30, 2019, and is also directed to hold July 19, 2019, open for a possible deposition at 9:00 a.m. E.T. in Orlando, FL, at a place to be designated at least two weeks before by plaintiff's counsel with notice provided by text to the mobile phone number and email provided by defendant. In addition, because the significant delays in this case to date are attributed to Seaberg, the court will require him to strictly follow these deadlines, absent extraordinary good cause shown. If he fails to file an amended answer, respond to discovery or sit for his deposition, the court

will enter default against him. As for plaintiff's motion for judgment on the pleadings against Seaberg (dkt. #11), that motion is DENIED AS MOOT in light of the court's order granting Seaberg leave to file an amended answer. Finally, the court notes that plaintiff has a pending motion for default judgment against defendant Grow Fitness Group, Inc. (Dkt. #16.) Plaintiff's counsel should contact the clerk's office if he wishes to proceed with a default judgment hearing at this time.

Entered this 13th day of June, 2019.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge